

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EUGENE SHY

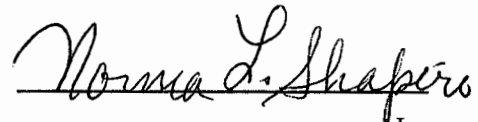
v.

MAYOR MICHAEL NUTTER, THE CITY OF  
PHILADELPHIA, CURRAN-FROMHOLD  
CORRECTIONAL FACILITY, and THE  
PHILADELPHIA PRISON SYSTEM

NO. 13-6447

AND NOW, this 5<sup>th</sup> day of August, 2014, upon consideration of plaintiff's complaint (paper no. 3), defendants' motion to dismiss (paper no. 4), and plaintiff's response (paper no. 7) and for the reasons set forth in the accompanying memorandum, it is **ORDERED** that:

1. The motion to dismiss (paper no. 4) is **GRANTED**.
2. Plaintiff is given leave to file and serve an amended complaint stating a plausible claim against viable defendants under 42 U.S.C. § 1983 within forty-five (45) days of this order.
3. If an amended complaint is filed, defendants shall file and serve their responses in accordance with the Federal Rules of Civil Procedure and the Local Rules of this court.

  
J.